

MINUTES
POLYSOMNOGRAPHY PROFESSIONAL STANDARDS COMMITTEE
November 1, 2011

A regular meeting of the Tennessee Board of Medical Examiners' Polysomnography Professional Standards Committee was held at the Health Related Boards, 227 French Landing, HRB Conference Room, Nashville, TN 37243.

Members Present: Donna J. Lovitt, PSGT
Donald A. Samples, Ed.D.
Roxanne M. Valentino, M.D.
Natasha C. Webb, PSGT
Madelyn Cunningham, Consumer Member

Member Absent: Kristin W. Lester, PSGT
Bryan P. Hughes, PSGT

Staff Present: Rosemarie Otto, Executive Director
Marsha Arnold, Unit Manager
Mona N. Jean-Baptiste, Advisory Attorney
Kimberly Hodge, Administrator

The Committee convened at 9:20am. A quorum was present and Dr. Valentino, the Chair, called the meeting to order with a roll call.

Approval of Minutes

Mr. Samples made a motion to approve the minutes from the September 13, 2011 Committee Meeting. Ms. Lovitt seconded the motion. The motion carried.

Administrative Office

Ms. Marsha Arnold reported that between May 1, 2011 and September 30, 2011 there were 46 new applications received in the administrative office and 86 new licenses issued.

New Applications Received

Technologist (Full)	10
Technicians (Temporary)	20
Trainee	16

Total New Licenses Issued

Technologist (Full)	34
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Technicians (Temporary)	34
Trainee	18

The total number of active full licensees as of September 30, 2011 is 472. This does not include Polysomnography Technicians and Trainees.

Financial Report

Ms. Rosemarie Otto reviewed the Committee's financial statement and advised them that it is projected that they will close fiscal year 2011 in the red. The Committee was advised of certain expenses they could expect in the future, including the cost of a contract with a peer assistance program. Ms. Otto advised the Committee that in order to enter into a peer assistance contract the Committee must become financially self-sufficient.

Office of Investigation & Disciplinary Report

Ms. Juanita Stone reported that there are two (2) complaints that have been reviewed and sent to the Office of General Counsel. There are no current complaints pending in the Office of Investigations and there are no polysomnographers being monitored by the disciplinary coordinator.

Office of General Counsel

Ms. Mona Jean-Baptiste, assistant general counsel, reported that there are no current rules pending in the Office of the Secretary of State. Ms. Jean-Baptiste presented a draft rule to increase licensure fees. She also proffered a letter of explanation and a policy statement relevant to the Committee's request for a time frame for a trainee/student to be permitted to remain in that status. At the September 13, 2011 Committee meeting, the Committee discussed whether an applicant who has enrolled in an A-STEP program should have a defined time frame as a trainee/student and be required to show proof of enrollment in the program. The impetus for the Committee's discussion was that trainees frequently pay \$50.00 to enroll in an A-STEP program but do not take the more expensive \$3,500.00, eighty-hour didactic course or pay the \$50.00 for each module. Instead they work under the trainee/student status indefinitely. Tenn. Code. Ann. Sect. 63-31-107 requires a trainee/student to be actively enrolled in an accredited training program. The Committee was asked to interpret what it means to be "actively enrolled" in an accredited training program.

After a discussion, the Committee decided that the time frame for a trainee/student should mirror the time frame of a technician (temporary permit), which is one (1) calendar year with a grace period of a single three (3) month extension. The Committee also decided to require a minimum of four (4) modules to be submitted per quarter to the administrative office to show that the applicant is actively enrolled in the A-STEP program, and require that all eighteen (18) modules must be completed within a one year time frame with a grace period of three (3) months. Ms. Lovitt made a motion to adopt the policy statement

with the above time frame requirements for the trainee status. Ms. Lester seconded the motion. The motion carried. Mr. Samples made a motion to approve the letter of notification, which informs the trainee that they have 30 days to submit documentation to show that they are compliant by being actively enrolled in an A-STEP program or their file will be closed. Ms. Webb seconded the motion. The motion carried.

Ms. Jean-Baptiste presented a draft of the rule making hearing for the fee change to the Committee for their approval. The fee change would increase the initial application fee to \$200.00 and the renewal fee to \$125.00. Dr. Valentino requested that a one (1) time three (3) month extension be added to paragraph 3(b) and that the legal staff determine if criminal background checks can be required for trainees. After a discussion, Ms. Lovitt made a motion to approve the wording of the rule making hearing with the addition of a one (1) time three (3) month extension be added to paragraph 3(b) and clarification on criminal background checks on trainees. Mr. Samples seconded the motion. The motion carried.

Capillary Blood Gas Test on Sleep Center Patients

Dr. Robert Schourmacher, Medical Director Lebonheur Pediatric Sleep Disorders Center, requested an advisory ruling from the Board of Medical Examiners and the Committee which would permit polysomnography technologists to perform morning capillary blood gas tests on sleep center patients. It is the opinion of the BME that, while capillary blood gas analysis would not fall within the scope of practice for a polysomnographic technologist or technician as specified in T.C.A. 63-31-101, there is nothing that would prevent delegation of such duties by a physician to a licensee who has been appropriately trained in the necessary specimen collection and procedures. The supervising physician would be responsible for ensuring that the delegate is sufficiently trained to perform those delegated functions. Further, only the supervising physician may perform the analysis of the testing results and make a diagnosis therefrom.

John Williams, representative from the Tennessee Society of Respiratory Care, reported that additional educational credentialing (an endorsement on their license) is required by Respiratory Therapist to perform capillary blood gas test. He encouraged the BME to reconsider there advisory ruling at there next meeting. Ms. Lovitt, who holds a Respiratory Therapist and a Polysomnography Technologist license, volunteered to represent the Committee at the next BME meeting to address the issue. After further discussion, the Committee agreed that the capillary blood gas tests are not within the scope of practice for a Polysomnography Technologist and should be performed only by appropriately trained individuals. Mr. Samples made a motion for Ms. Lovitt to speak on the Committee's behalf at the November 15, 2011 BME meeting. Ms. Webb seconded the motion. The motion carried.

Ratification of New Licenses and Denials

Mr. Samples made a motion to approve the new licenses and temporary permits. Ms. Lovitt seconded the motion. The motion carried. (See attached list)

Questions From Beverly S. Tallent Regarding Home Sleep Equipment and Testing

The Committee reviewed questions regarding Home Sleep Equipment and Testing that were submitted by Beverly S. Tallent, Coordinator of Sleep Services. Ms. Tallent was invited to the meeting, but was unable to attend. She submitted new questions for the Committee to opine and discuss. After a discussion, Ms. Lovitt made a motion to defer all questions until Ms. Tallent is able to attend a Committee meeting. Ms. Webb seconded the motion. The motion carried.

Volunteer State Polysomnography Program

Mel Matthews, Instructor and Director of Polysomnography Program at Volunteer State, and Elvis Brandon, Dean of Allied Health at Volunteer State, informed the Committee of Volunteer State's program in West Tennessee. The program, which is only offered to applicants that reside in West Tennessee, is a stand alone Allied Health Education certificate program that consists of 31 hours of college credit. Volunteer State has sleep lab affiliates in West Tennessee for the students to meet their clinical requirements. Students will participate in the Volunteer State program to fulfill their core requirements and complete their degree at a community or state college.

According to the T.C.A. 63-31-106, the A-STEP program shall not remain available after July 1, 2012, if there are at least four (4) polysomnographic technologist educational programs in this state, at least two (2) in the east grand division and one (1) each in the middle and west grand divisions that remain accredited by the commission on accreditation of allied health educational programs for two (2) years. If there are not four (4) such accredited educational programs by July 12, 2012, this option shall remain available until there are four (4) such programs that have been accredited for two (2) years.

Based upon the information presented today, the Committee requested that the Administrative Office gather information to present at the following meeting to determine if the requirements have been met to eliminate the A-STEP program in Tennessee as of July 1, 2012.

These minutes were ratified by the Committee January 18, 2012.